

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES	:	
	:	CRIMINAL ACTION
v.	:	No. 23-119
	:	
JAMAR DAVIS	:	

ORDER

AND NOW, this 10th day of October, 2024, following the Final Pretrial Conference held on October 1, 2023, it is **ORDERED** that:

- The government’s Motion for Bill of Particulars for Forfeiture of Property (ECF No. 11) is **GRANTED**.¹
- Mr. Davis’ Motion to Bifurcate Count 5 (ECF No. 78) is **GRANTED**.²
- Mr. Davis’ Motion to Dismiss Count 5 as Unconstitutional (ECF No. 80) is **DENIED**.³
- The government’s Motion to Admit Recordings and Transcripts (ECF No. 75) is **GRANTED** in full.⁴

¹ Mr. Davis does not oppose this motion. *See* Transcript of Conference at 3-4.

² The government does not oppose this motion. *See* ECF No. 79; Transcript of Conference at 18.

³ Transcript of Conference at 16-17. *See United States v. Rahimi*, 144 S. Ct. 1889 (2024) (upholding a firearm restriction when an individual has been found to pose a credible threat to the physical safety of another); *Garland v. Range*, 144 S. Ct. 2706 (Mem) (2024) (vacating and remanding, in light of *Rahimi*, the Third Circuit’s holding that the federal felon-in-possession law is unconstitutional as applied).

⁴ Transcript of Conference at 16 (allowing admission of transcripts but affirming that the Court will hear argument by the defense if there is any particular part of the transcripts that the defense thinks is a misrepresentation).

It is further **ORDERED**, upon consideration of Mr. Davis' Motion to Suppress Evidence Recovered from Cell Phone and Subsequently Discovered Evidence (ECF No. 67) and the government's Response in Opposition (ECF No. 70), that the Court will conduct an evidentiary hearing on Mr. Davis' Motion on **Tuesday, October 22, 2024**, prior to trial.⁵

s/ANITA B. BRODY, J.
ANITA B. BRODY, J.

⁵ Transcript of Conference at 13-14.